

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WARREN A. CROCKETT,

Plaintiff,

Case No. 12-13869

Hon. Matthew F. Leitman

-VS-

FORD MOTOR COMPANY, a Delaware
Corporation and CBRE, INC., a Delaware
Corporation, Jointly and Severally,

Defendants.

**ORDER (1) GRANTING DEFENDANTS' MOTION *IN LIMINE* AND FOR
RELIEF PURSUANT TO FED. R. CIV. P. 37(b) AND 37(c) (ECF #114);
AND (2) FINAL ORDER OF DISMISSAL OF ALL REMAINING CLAIMS
WITH PREJUDICE**

The Court being duly advised on the premises, including the fact that following this Court's October 5, 2015 Order on the Defendants' Motions for Summary Judgment, the only claims remaining for trial were Plaintiff Crockett's hostile-work-environment claims against Defendant Ford Motor Company brought pursuant to Title VII, Section 1981, and the Michigan Elliott-Larsen Civil Rights Act (ELCRA); and Plaintiff's hostile-work-environment claims against Defendant CBRE, Inc. brought pursuant to Section 1981 and the ELCRA.

On June 24, 2016, Defendants' filed a Motion *In Limine* and for Relief Pursuant to Fed. R. Civ. P. 37(b) and 37(c) (ECF #114) based on Plaintiff Crockett's failure to disclose exhibits or witnesses, pursuant to Fed. R. Civ. P. 26(a)(3), and Plaintiff Crockett's failure to comply with this Court's June 8, 2016 Amended Case Management Requirements and Scheduling Order (ECF #110). Plaintiff Crockett's failure to disclose the exhibits he intends to use or the witnesses he intends to call at trial and complete failure to comply with the Court's Amended Case Management Requirements and Scheduling Order (ECF #110) has unfairly prejudiced Defendants and their ability to prepare for trial.

In addition, Plaintiff Crockett has not responded to the Court's Order to Show Cause in Writing Why This Action Should Not Be Dismissed With Prejudice By 4:30 P.M., July 7, 2016 (ECF #115) for his failure to make the pretrial disclosures required by Fed. R. Civ. P. 26(a)(3), as ordered by this Court in its Amended Case Management Requirements and Scheduling Order (ECF #110).

Accordingly, and for the reasons stated on the record at the scheduled Final Pretrial Conference held on July 11, 2016:

IT IS HEREBY ORDERED that Defendants' Motion *in Limine* and for Relief Pursuant to Fed. R. Civ. P. 37(b) and 37(c) (ECF #114) is **GRANTED**, and Plaintiff is precluded from introducing any witnesses or exhibits at trial.

IT IS FURTHER ORDERED that all of Plaintiff's remaining claims brought against Defendant Ford Motor Company and against Defendant CBRE, Inc. are **DISMISSED WITH PREJUDICE. This is a final order.**

IT IS SO ORDERED.

/s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: July 12, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 12, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113